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November 16, 2007

**VIA FACSIMILE****(Total Number of Pages Transmitted: 4, including this cover page)**

**TO:** Examiner Le, Thi Q.  
Art Unit: 2613  
United States Patent and Trademark Office

Facsimile No.: 571-273-8300

**FROM:** Donald J. Lecher, Esq.

Facsimile No.: 703-761-2375

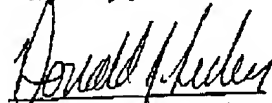
**RE:** Enclosed Statement of Substance of Interview under 37 C.F.R. §1.133(b)  
U.S. Patent Application No.: 10/620,685  
Attorney Docket No.: N03404US  
Our Reference No.: NIS.060

Dear Examiner Le,

Enclosed for filing is a Statement of Substance of Interview Under 37 C.F.R. §1.133(b) in response to the personal interview held on November 15, 2007, in the above-referenced application.

Thank you in advance for your kind consideration on this case.

Very truly yours,



Donald J. Lecher, Esq.  
Registration No. 41,933  
Sean M. McGinn, Esq.  
Registration No. 34,386

DJL/SMM  
Attachment

**RECEIVED  
CENTRAL FAX CENTER**

**NOV 16 2007**

Application No. 10/903,007  
Docket No. NEG-371US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

**Tajima, Akio**

Serial No.: 10/620,685

Group Art Unit: 2613

Filed: July 17, 2003

Examiner: Le, Thi Q.

For: **AN OPTICAL SIGNAL SWITCHING DEVICE FOR USE IN AN OPTICAL  
PROTECTION NETWORK**

Honorable Commissioner of Patents  
Alexandria, Virginia 22313-1450

**BOX AF**

**STATEMENT OF SUBSTANCE OF INTERVIEW UNDER 37 CFR §1.133(b)**

Sir:

In response to the personal Examiner Interview held on November 15, 2007, please consider the Statement of Substance of Interview in the above-identified application as follows:

Application No. 10/903,007  
Docket No. NEG-371US

**I. STATEMENT OF SUBSTANCE OF INTERVIEW**

The following is Applicant's Statement of Substance of Interview held with the Examiner of Record in the above-identified application on November 15, 2007.

Applicant's representative demonstrated that the primary references to Hiroyuki, Sugawara and Fukashiro all fail to teach or suggest Applicant's claimed invention since each reference includes a "backup" or a "standby" use communication line not reserved for normal communication, but reserved only for communication when a failure in a primary communication line occurs.

Applicant will further propose an amendment that further defines a "service line" to a more commonly used expression in the telecommunication field of art to denote a primary communication line unreserved for exclusive communication in a communication failure or backup communication state of a primary communication line.

The Examiner stated that the current amendment would necessitate a new search and further consideration and would thereby issue and Advisory Action.

Application No. 10/903,007  
Docket No. NEG-371US

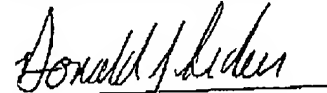
## II. FORMAL MATTERS AND CONCLUSION

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date: Nov. 16, 2007

Respectfully Submitted,



Donald J. Lecher, Esq.  
Reg. No. 41,933  
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### CERTIFICATE OF TRANSMISSION

I certify that I transmitted via facsimile to (571) 273-8300 the enclosed Statement of Substance of Interview Under 37 CFR §1.133(b) to Examiner Le, Art Unit 2613, on November 16, 2007.



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